

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1, 2, and 4-18 are pending. Claims 1, 2, 4, 6, 7, 14-16, and 18 are amended. Support for the amendments to Claims 1, 6, and 7 can be found in the published application in numbered paragraph [0075] and in Figs. 16-18, and 20, for example. Support for the amendment to Claim 2 is self-evident. Support for the amendments to Claims 4, 14-16, and 18 is self-evident inasmuch as Claims 14-16 and 18 are placed in independent form without the feature cited in the outstanding Office Action in the rejection under 35 U.S.C. § 112, first paragraph, and Claim 4 is amended to update its dependency. No new matter is added.

In the outstanding Office Action, the specification was objected to as including reference numbers not conforming to the reference numbers shown in the figures. Claims 1 and 4-18 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. Claims 1, 4-13, and 17 were rejected under 35 U.S.C. § 103(a) as obvious over Kenmochi (U.S. Patent No. 6,245,413, herein "Kenmochi") in view of Brown et al. (U.S. Patent No. 6,550,092, herein "Brown"). Claim 2 was allowed. The arguments presented in the previous response regarding Claims 14-16 and 18 were indicated as persuasive, and Claims 14-16 and 18 were not rejected over a cited reference.

Applicants note with appreciation the allowance of Claim 2.

Claims 14-16 and 18, which were not rejected over any cited reference in the outstanding Office Action, are rewritten in independent form without the feature noted in the rejection of independent Claim 1 as failing to comply with the written description requirement. Accordingly, Applicants respectfully submit that amended independent Claims 14-16 and 18, and Claims 4 and 5 depending from amended independent Claim 14 are in condition for allowance.

Regarding the objection to the specification, the specification is amended to make the reference numbers listed on pages 12-20 conform to the reference numbers shown in the figures described on those pages. Accordingly, Applicants respectfully submit that the objection to the specification is overcome.

Regarding the rejection of Claims 1 and 4-18 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement, that rejection is respectfully traversed by the present response.

The outstanding Office Action rejected Claims 1 and 4-18 for reciting “wherein the portion of each tacky recess coated with adhesive includes first and second adjacent surfaces of the tacky recess, the first adjacent surface disposed at an angle relative to the second adjacent surface.”

Applicants respectfully submit that, in addition to the sections of the published application cited in the previous response, the above-noted feature, with respect to independent Claim 1, is shown in Fig. 20, for example.

With respect to independent Claims 6 and 7, the above-noted feature can be found in Fig. 16, for example. Fig. 16 depicts V-shaped grooves.

Accordingly, Applicants respectfully submit that the above-noted feature in independent each of Claims 1, 6, and 7 is fully supported by the original specification. Therefore, the rejection of Claims 1, 6, and 7, and Claims 8-13 and 17 depending therefrom for failing to comply with the written description requirement is overcome.

Claims 14-16 and 18 are rewritten in independent form without the above-noted feature cited in the rejection under 35 U.S.C. § 112, first paragraph. Accordingly, Applicants respectfully submit that the rejection of Claims 14-16 and 18 as failing to comply with the written description requirement is overcome.

As Claims 4 and 5 now depend from independent Claim 14, Applicants respectfully submit that the rejection of Claims 4 and 5 under 35 U.S.C. § 112, second paragraph, as failing to comply with the written description requirement, is moot.

Regarding the rejection of Claims 1, 4-13, and 17 as obvious over Kenmochi in view of Brown, that rejection is respectfully traversed by the present response.

Amended independent Claim 1 recites, in part:

wherein the portion of each tacky recess coated with adhesive includes first and second adjacent surfaces of the tacky recess, the first adjacent surface disposed at an angle relative to the second adjacent surface and the first and second adjacent surfaces are each disposed at oblique angles relative to the lower side of the head.

Accordingly, the tacky recess includes first and second adjacent surfaces disposed at an angle relative to each other. The first and second adjacent surfaces are each disposed at an oblique angle relative to a lower side of the head.

Applicants respectfully submit that neither of the cited references teaches or suggests first and second adjacent surfaces coated with adhesive and each disposed at oblique angles relative to a lower side of a head as recited in amended independent Claim 1. Rather, Kenmochi describes sidewalls that smoothly contour into a flat bottom surface of its recesses. Therefore, Kenmochi does not teach or suggest two adjacent adhesive-coated surfaces disposed at an angle relative to each other and at **an oblique angle** relative to a lower side of the head.

Similarly, Brown describes, as shown in Fig. 3, holes (4) with walls at right angles relative to the adhesive layer (3). Thus, Brown fails to remedy the deficiencies of Kenmochi. Accordingly, Applicants respectfully submit that amended independent Claim 1 further patentably distinguishes over any proper combination of Kenmochi and Brown for at least the reasons discussed above.

Additionally, neither of the cited references teaches or suggests first and second adjacent adhesive coated surfaces disposed at an angle relative to the second adjacent surface as recited in independent Claim 1.

Regarding the above-noted feature recited in independent Claim 1, the outstanding Office Action states:

It is the examiners position that by spraying the adhesive into the cavities (4) in Brown or in the recesses (17) in the '423 patent (as suggested by Brown) that the sloped sides of the recesses would **undoubtedly** receive some of the adhesive, thus meeting applicants claim.¹

In light of the language quoted above, it appears that the outstanding Office Action asserts that it is **inherent** that spraying of an adhesive into the recesses (4) in Brown or (17) in Kenmochi would provide first and second adjacent surfaces coated with adhesive and disposed at an angle relative to each other.

Applicants respectfully submit that for a feature to be inherent, it must necessarily be present in the cited reference. For example, "The fact that a certain result or characteristic may occur or be present in the prior art is not sufficient to establish the inherency of that result or characteristic." MPEP § 2112, In re Rijckaert, 9 F.3d 1531, 1534, 28 U.S.P.Q.2d 1955, 1957 (Fed. Cir. 1993). Moreover:

to establish inherency, the extrinsic evidence "must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. Inherency, however, may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient."

In re Robertson, 169 F.3d 743, 745, 49 U.S.P.Q.2d 1949, 1950-51 (Fed. Cir. 1999).

Finally, as set forth in MPEP § 2112, "in relying upon the theory of inherency, the Examiner **must** provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic **necessarily** flows from the teachings

¹ Outstanding Office Action, page 4. (Emphasis added).

of the applied prior art.” (emphasis added). Ex party Levy, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990).

Applicants respectfully submit that neither of Kenmochi and Brown teaches or suggests coating the sidewalls of their recesses with adhesive. Applicants further respectfully submit that any accidental coating of these sidewalls is not a necessary byproduct of a spraying process. Rather, a careful spraying process would not necessarily coat the sidewalls of any particular recess described in either of the cited references. Furthermore, Brown states:

The cleaning sheet may be formed from a perforated fabric layer secured to a flexible backing layer in another manner, e.g., via stitching or melt bonding. Alternatively, the cleaning sheet may consist solely of a thicker fabric layer with a plurality of cavities in at least one major surface. In either instance, an adhesive (such as a PSA) **can be sprayed or coated onto the bottom surfaces within the cavities** to form tacky surfaces therein.²

Accordingly, Brown describes coating only the **bottom surfaces** of the cavities and does not teach or suggest or coating the side surfaces of the cavities. Consequently, Applicants respectfully submit that, inasmuch as Brown itself describes coating only the bottom surfaces of the cavities with spraying, it is not inherent that spraying would coat side surfaces of the cavities of either of Kenmochi or Brown.

Each of amended independent Claims 6 and 7 recites substantially similar features to those discussed above regarding amended independent Claim 1 and patentably distinguishes over any proper combination of the cited references for at least the same reasons as amended independent Claim 1 does.

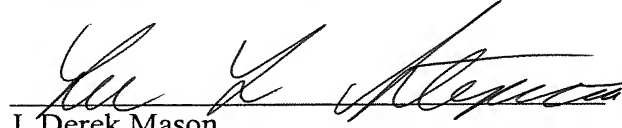
Each of Claims 8-13 and 17 depends from one of amended independent Claims 1 and 7 and patentably distinguishes over any proper combination of Kenmochi and Brown for at least the same reasons as amended independent Claim 1 does.

² Brown, col. 4, line 65 – col. 5, line 5. (Emphasis added).

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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